

NINTH DAY.

Senate Chamber,
Austin, Texas, Friday, Jan. 23, 1903.

Senate met pursuant to adjournment.
Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Harbison.
Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
Galveston.	Lipscomb.
Decker.	Morris.
Douglass.	Paulus.
Faubion.	Perkins.
Faulk.	Savage.
Faust.	Sebastian.
Grinnan.	Stafford.
Hale.	Willacy.
Hanger.	Wilson.

Absent.

Harper.	McKamy.
Martin.	Patteson.

Absent—Excused.

Davidson of	Mills.
DeWitt.	

Prayer by Rev. Pinkney Hawkins, of Grimes county.

Pending the reading of the Journal of yesterday,

On motion of Senator Faulk, the same was dispensed with.

PETITIONS AND MEMORIALS.

Senator Hill offered the following petition:

THE STATE OF TEXAS,
County of Sutton.

To the Honorable Members of the House and Senate of the Twenty-eighth Legislature of the State of Texas.

We, the undersigned citizens of Sutton county, Texas, do hereby respectfully petition your most honorable body to abolish the civil and criminal jurisdiction existing in the county court of Sutton county, Texas, except for probate matters, and to vest the same in the honorable district court for said county.

This petition is presented by the undersigned because we verily believe that it will be a great saving of expense to our county, and that there is no necessity for so many different terms of court being held in each year, and jurors summoned to attend same, and that the administration of justice will be best promoted in behalf of litigants by the change here requested.

NUMEROUSLY SIGNED.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, January 23, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 9, A bill to be entitled "An Act to amend Section 13, Chapter 12, of 'An Act to incorporate the city of Beaumont; to grant it a special charter, and fix its boundaries,' adopted by the Twenty-sixth Legislature, relating to the treasurer of said city, so as to provide that he shall be treasurer of the school fund of said city, defining his duties and fixing compensation for all duties performed by him as such treasurer of the city of Beaumont, and to repeal all laws and parts of laws in conflict herewith."

Senate bill No. 17, A bill to be entitled "An Act to fix the time of holding the courts in the Forty-seventh Judicial District of Texas."

House bill No. 82, A bill to be entitled "An Act making an appropriation to pay for publishing the constitutional amendments proposed by the Twenty-seventh Legislature."

Also House Concurrent Resolution No. 4, Requesting our United States Senators to use their influence in purchasing United States camp site near Fort Sam Houston, in this State.

BOB BARKER,

Chief Clerk, House of Representatives,

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 21, A bill to be entitled "An Act to exterminate prairie dogs in Texas by allowing freeholders to vote a tax upon themselves for this purpose, providing means for the same, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

McKAMY, Chairman.

ENROLLING DEPARTMENT.

Committee Room,
Austin, Texas, January 17, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 2, A bill to be entitled "An Act appropriating Twenty Thousand Dollars (\$20,000) to pay the contingent expenses of the Twenty-eighth Legislature,"

And find the same correctly enrolled, and this day presented to the Governor for his approval at 10:25 a. m.

HALE, Chairman.

Committee Room,
Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Judiciary, No. 1, to whom was referred

Senate bill No. 19, A bill to be entitled "An Act to amend Article 3142 and to repeal Articles 3143 and 3144, Title LXII, Chapter 1, of the Revised Civil Statutes of the State of Texas, defining who are exempt from jury service,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass, with the following amendments:

"Amend by adding after Section 6, Section 7.

"Section 7. All licensed pharmacists in the active practice and discharge of their duties."

"Amend by adding after the word 'companies,' in subdivision 6, the words 'and all members of paid fire departments.'

"Amend by adding subdivision 8. 'All conductors and engineers of railroad companies when engaged in the regular and actual discharge of the duties of their respective positions.'"

HANGER, Chairman.

Committee Room,
Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 20, A bill to be entitled "An Act to amend Article 1316, Chapter 12, Title XXX, of the Revised Civil Statutes of the State of Texas, and to require the judges of the district and county courts to prepare and read their charges to the jury before counsel shall argue the cause to the jury, and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do not* pass, but that the following bill *do* pass as a substitute for and in lieu of the original bill.

HANGER, Chairman.

Committee Room,

Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 53, A bill to be entitled "An Act to amend Articles 128 and 129, Chapter 1, of the Revised Civil Statutes of the State of Texas, relating to the apprehension of lunatics and authorizing the county judge to fix the place of trial at the residence of the lunatic,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

HANGER, Chairman.

Committee Room,

Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 38, A bill to be entitled "An Act defining further cause of continuance in civil and criminal cases, and to declare an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

HANGER, Chairman.

Committee Room,

Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 41, A bill to be entitled "An Act to amend Article 1804e, Chapter 7, of the General Laws of 1895, entitled 'An Act to better provide for the election contests in this State and an amendment to said chapter and article, to put into operation the amendment of the Constitution of the State of Texas adopted at the general election in November, 1902, generally known as the poll tax amendment to the Constitution,' so that Article 1804e, of Chapter 7, of the General Laws of 1895 shall hereafter read as follows,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass with the following amendments:

"Amend by striking out the word 'fraudulent' before the word 'the' and after the word 'vote,' and insert in lieu thereof the word 'illegal.'"

"Amend by striking out the word 'and' after the word 'illegal' and before

the word 'fraudulent' and insert in lieu thereof the word 'or.'"

HANGER, Chairman.

Committee Room,

Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 32, A bill to be entitled "An Act to amend Article 4905, Title CI, Chapter 1, of the Revised Civil Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass with the following amendments:

"Amend by adding after the word 'hour' and before the word 'day' the word 'on,' and by adding after the word 'that' and before the word 'place' the words 'time and.'"

HANGER, Chairman.

Committee Room,

Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 51, A bill to be entitled "An Act to repeal so much of Subdivision 13, of Article 5049, Chapter 18, Title CIV, of the Acts of the First Called Session of the Twenty-fifth Legislature, as imposes an annual occupation tax of \$5.00 on every dentist,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass with the following amendments:

"Amend by inserting in the caption before the figures '13' the figures '12,' and by adding after the word 'dentists' in the caption the following 'and as imposes an annual occupation tax of \$5.00 on lawyers,' and by adding Section 2, which shall read as follows:

"Section 2. That part of Subdivision 12, of Article 5049, Chapter 18, Title CIV, of the Acts of the First Called Session of the Twenty-fifth Legislature, as imposes an annual occupation tax of \$5.00 upon every practicing lawyer be and the same is hereby repealed."

HANGER, Chairman.

Committee Room,

Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 42, A bill to be entitled

"An Act to authorize the International & Great Northern Railroad Company to purchase, own and operate, as a part or parts of its line, the railroad constructed, or to be constructed, of the Houston, Beaumont & New Orleans Railroad Company, and also the railroad constructed or to be constructed of the Houston, Oaklawn & Magnolia Park Railway Company, or either of them, as defined in their respective charters, together with all franchises and property incident or appertaining to said railroads or either of them; and to authorize said Houston, Beaumont & New Orleans Railroad Company and said Houston, Oaklawn & Magnolia Park Railway Company each to sell its railroad as defined in its charter, together with all franchises and property incident or appertaining thereto, to said International & Great Northern Railroad Company; and to authorize said International & Great Northern Railroad Company to issue and negotiate its bonds secured, or to be secured, by mortgage or mortgages, subject to the laws of the State of Texas governing the issuance and negotiation of bonds by railroad companies; and to authorize said International & Great Northern Railroad Company to construct, own and operate, as a part or parts of its line, the unfinished portion or portions of said railroads, or either of them, between the termini as defined in their respective charters, and to construct, own and operate, as part or parts of its line, extension and branches of said railroads, or either of them, under or as authorized in and by the charter of said International & Great Northern Railroad Company, or any amendment thereof made or to be made in pursuance of general laws of the State of Texas; to regulate reports relative to the railroads, franchises and property authorized by this act to be purchased and sold, and the operation thereof; and to prescribe the conditions upon which said purchases and sales shall take effect and be dependent; and to authorize said company and each of them to execute all necessary contracts, agreements and conveyances to accomplish said purchases and sales."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do* pass.

DAVIDSON of Galveston, Chairman.

Committee Room,

Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 12, A bill to be entitled "An Act to amend Article 605, Title XV, Chapter 3, of the Penal Code of the State of Texas, adopted at the Regular Session of the Twenty-fourth Legislature, 1895, relating to assaults to commit some other offense, by fixing the punishment for assault with intent to commit murder, and repealing all laws in conflict therewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

PAULUS, Chairman.

Committee Room,

Austin, Texas, January 22, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 31, A bill to be entitled "An Act to amend Article 950, Chapter 18, Title XVII, of the Penal Code of the State of Texas, relating to the fraudulent disposition of mortgaged property,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it *do pass*.

PAULUS, Chairman.

SENATE BILL NO. 9—SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read:

Senate bill No. 9, "An Act to amend Section 13, Chapter 12, of 'An Act to incorporate the city of Beaumont; to grant it a special charter, and fix its boundaries,' adopted by the Twenty-sixth Legislature, relating to the treasurer of said city, so as to provide that he shall be treasurer of the school fund of said city; defining his duties and fixing compensation for all duties performed by him as such treasurer of the city of Beaumont, and to repeal all laws and parts of laws in conflict herewith."

BILLS AND RESOLUTIONS.

Senator Stafford offered the following resolution:

Whereas, The United Daughters of the Confederacy, appreciating the sterling worth of ex-Governor Joseph D. Sayers, as a soldier, a private citizen and faithful public servant, desire to place his bust in the hall of the Senate as a small token of their esteem; therefore, be it

Resolved, That the Sergeant-at-Arms of the Senate be directed to select a suitable place in this chamber for the use above designated.

Read second time, and adopted.

Senator Willacy offered the following resolution:

Resolved, That 500 copies of the Senate Record be printed each morning and that 150 copies of the same be delivered to the House of Representatives, the remainder to be delivered to the Sergeant-at-Arms of the Senate. This resolution to be in lieu of the one heretofore adopted providing for 400 copies of said record.

Read second time, and adopted.

By Senator Faubion:

Be it resolved by the Senate, That the Committee on Contingent Expenses are hereby directed to have constructed without delay, a suitable structure for use of the postoffice in the Senate chamber, and to pay the expense of building the same out of the fund appropriated for the contingent expenses of the Twenty-eighth Legislature.

Resolution was read second time, and

On motion of Senator Savage, was referred to Committee on Contingent Expenses.

Carried.

By Senator Davidson of Galveston:

Senate bill No. 56, A bill to be entitled "An Act to provide for and regulate the granting of license to practice as attorney and counselor at law in all the courts of the State of Texas, and to repeal all laws and parts of laws in conflict therewith."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Faulk:

Senate bill No. 57, A bill to be entitled "An Act to further provide for the creation of school districts, the appointment of trustees therein, and the apportionment of funds thereto; and declaring an emergency.

Read first time, and referred to Committee on Education.

By Senator Perkins:

Senate bill No. 58, A bill to be entitled "An Act to amend Chapter 153, of the General Laws of the State of Texas, passed at the regular session of the Twenty-fifth Legislature, and amended at the regular session of the Twenty-seventh Legislature, entitled 'An Act to prohibit the taking of fish from the fresh waters and streams of this State otherwise than by the means of the ordinary hook and line and trot line, and to prohibit the sale or shipping of game fish in this State, and to provide penalties for the violation thereof,' by exempting the counties of Anderson and other counties from the provisions of this act."

Read first time, and referred to Committee on State Affairs.

By Senators Cain and Harbison:

Senate bill No. 59, A bill to be entitled "An Act to reorganize the Fifteenth and Fortieth Judicial Districts of Texas, and to create the Fifty-ninth Judicial District of Texas, to name the counties composing each of said districts; to prescribe the time of holding the terms of the district court in each of said districts; to provide for the extension and return of process issued out of said court; empowering the judge of the Fifteenth Judicial District to empanel the grand jury for Grayson county; and giving authority to the judges of either the Fifteenth or Fifty-ninth Judicial Districts in Grayson county to transfer cases from their respective courts to the other said court; and to validate all writs, process and bonds, civil and criminal, issued or executed, up to the time this act takes effect, by or from the district courts of the several counties named in this act; and to provide for the appointment of a district judge for the Fifty-ninth Judicial District of Texas; and declaring an emergency."

Read first time, and referred to Committee on Judicial Districts.

By Senator Faust:

Senate bill No. 60, A bill to be entitled "An Act to improve the penal system of the State of Texas, amendatory and supplemental to Title LXXIX of the Revised Statutes of the State of Texas; to make appropriation therefor, and to repeal all laws in conflict therewith."

Read first time, and referred to Committee on State Penitentiaries.

By Senator Faubion:

Senate bill No. 61, A bill to be entitled "An Act to amend Title IX, Chapter 2, Article 173, of the Revised Civil Statutes of the State of Texas, by adding thereto Article 173a."

Read first time, and referred to Committee on State Affairs.

By Senator Faulk:

Senate bill No. 62, A bill to be entitled "An Act to create a Bureau of Public Highways of the State, prescribe its duties and powers, fix their salaries and terms of office and make provisions for the improvement of the public roads and bridges of the State; to make an appropriation therefor, and to provide for the creation of a fund by taxation, called the Road and Bridge Fund of the State."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

PETITION.

Senator Hicks offered the following petition, and asked unanimous consent for it to be published in full in the

Journal. There being no objection same was ordered:

Whereas, The exposition to be held in St. Louis in 1904 in commemoration of the Louisiana Purchase, an act which, if there were no other, would perpetuate the name of Thomas Jefferson in the affections of posterity, is in all probability the last to be held in the time of men now living; and

Whereas, The broad lines upon which it has been planned and the immense amount of money which has been devoted to it make it certain that it will attract the attention of all civilized peoples and bring to its gates men from all parts of the globe; and

Whereas, It will afford an opportunity perhaps unparalleled in our times to present the advantages of the different States for fructifying capital and to wealth-producing labor in search of a home; and

Whereas, We believe that to productive industry and honest capital no State in the Union can offer such inviting opportunities as can Texas; and

Whereas, We believe that within the borders of our imperial commonwealth there is room for millions of industrious men whom the increasing struggle for existence in the more thickly settled communities has forced to seek new fields of effort; and

Whereas, We believe that to such and to men seeking opportunities for surplus capital we can by a proper exhibit of our resources present an argument irrefutable and irresistible; and

Whereas, We believe that the time is the most propitious ever known to Texas in that it is the time when the resources and possibilities of our State are being forced upon the attention of the world, it comes at a time, too, when the forces of civilization and development are converging in the southwest corner of the Union and at a time when no gift of prophecy is needed to foresee Texas the empire State in reality as it already is in its potentialities; and

Whereas, We believe the evidences that this is Destiny's plan are manifest and abundant; we know that in the slow process of nature this will come to be so inevitably, we believe that if we shall avail ourselves of the opportunities now presented to us it will also hasten this consummation; and

Whereas, we believe the opportunity of exhibiting that which nature has so bounteously bestowed upon us must appeal no less to our business instinct than to our patriotism, we regard it in other words as no less a business opportunity than a patriotic duty; and

Whereas, Convinced thus The Texas

World's Fair Commission has sought to raise by private subscription sufficient to make a creditable exhibit of our resources, and while the results of our efforts have been fairly satisfactory, especially in having shown the widespread interest of our people we fear, after careful consideration, we cannot within the time remaining to us raise an amount adequate to meet the expectations of the world and the demands of the people of Texas; and

Whereas, We believe further, inasmuch as the benefits to follow must be shared by all the people of Texas, that it is properly a duty devolving upon the peoples' representatives and that the cost of it can not be so equitably distributed by any other method than that of a State appropriation; therefore, be it

Resolved by the Texas World's Fair Commission:

First. That the Legislature of the State is hereby requested to set aside an appropriation of one hundred thousand dollars to be expended in making an exhibit showing and presenting conditions, resources and the future prospects of the State of Texas in all branches of industry, history and education.

Second. That the Executive Committee and Board of Directors of the Texas World's Fair Commission be instructed to present these resolutions to both houses of the Legislature and to his Excellency the Governor of the State of Texas.

Read, and referred to Judiciary Committee No. 1.

Morning call concluded.

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,
STATE OF TEXAS.

Austin, January 22, 1903.

To the Senate:

The advice and consent of the Senate is requested to the following appointments:

Secretary of State—J. R. Curl, of Travis county.

Assistant Attorney General—Howard Martin, of Parker county.

Adjutant General—Thomas Scurry, of Dallas county.

Commissioner of Agriculture, Insurance, Statistics and History—W. J. Clay, of Erath county.

State Health Officer—George R. Tabor, of Brazos county.

State Revenue Agent—B. W. Foster, of Hopkins county.

State Purchasing Agent—W. B. Anderson, of Bexar county.

Superintendent of Public Buildings

and Grounds—C. E. Gilbert, of Travis county.

Superintendent of Penitentiaries—Searcy Baker, of Grimes county.

Assistant Superintendent of Penitentiary, at Huntsville—Thomas H. Brown, of McLennan county.

Assistant Superintendent of Penitentiary, at Rusk—John B. Reagan, of Cherokee county.

Assistant Superintendent in charge of House of Correction and Reformatory at Gatesville—L. J. Tankersley, of Bell county.

Financial Agent of the Penitentiaries—John L. Wortham, of Limestone county.

Inspectors of Penitentiaries—Clifford A. Adams, of Brazos county, and Charles J. Brady, of Williamson county.

Fish and Oyster Commissioner—I. P. Kibbe, of Victoria county.

Live Stock Sanitary Commissioners—Robert J. Kleberg, of Nueces county; W. J. Moore, of Bexar county; and M. M. Hankins, of Hardeman county.

S. W. T. LANHAM,
Governor.

(Senator Sebastian in the chair.)

On motion of Senator Hanger, the hour of 11 a. m. today was designated as the time when the Senate would go into executive session to act on the foregoing appointments.

PENDING BUSINESS.

The Chair laid before the Senate, on its second reading,

Senate bill No. 43, A bill to be entitled "An Act to create the Sixtieth Judicial District of the State of Texas, in Jefferson county, additional to the Fifty-eighth Judicial District therein, to establish a court, provide a judge and clerk of such new district, to regulate the venue of the courts of such respective districts, and the disposition of the business therein, and to define the jurisdiction, the boundaries and the terms thereof, and declaring an emergency."

On motion of Senator Henderson, consideration of the bill was postponed indefinitely on account of the absence of its author.

On motion of Senator Harbison, the Senate took a recess until 11 o'clock.

AFTER RECESS.

In executive session, the following confirmations were had:

Secretary of State—J. R. Curl, of Travis county.

Assistant Attorney General—Howard Martin, of Parker county.

Adjutant General—Thomas Scurry, of Dallas county.

Commissioner of Agriculture, Insurance, Statistics and History—W. J. Clay, of Erath county.

State Health Officer—George R. Tabor, of Brazos county.

State Revenue Agent—B. W. Foster, of Hopkins county.

State Purchasing Agent—W. B. Anderson, of Bexar county.

Superintendent of Public Buildings and Grounds—C. E. Gilbert, of Travis county.

Superintendent of Penitentiaries—Searcy Baker, of Grimes county.

Assistant Superintendent of Penitentiary, at Huntsville—Thomas H. Brown, of McLennan county.

Assistant Superintendent of Penitentiary, at Rusk—John B. Reagan, of Cherokee county.

Assistant Superintendent in charge of House of Correction and Reformatory at Gatesville—L. J. Tankersley, of Bell county.

Financial Agent of the Penitentiaries—John L. Wortham, of Limestone county.

Inspectors of Penitentiaries—Clifford A. Adams, of Brazos county, and Charles J. Brady, of Williamson county.

Fish and Oyster Commissioner—I. P. Kibbe, of Victoria county.

Live Stock Sanitary Commissioners—Robert J. Kleberg, of Neuces county; W. J. Moore, of Bexar county; and M. M. Hankins, of Hardeman county.

EXCUSED.

On motion of Senator Paulus, Senator Harper was excused from attendance upon the Senate today, on account of important business.

SENATE BILL NO. 43. ON SECOND READING.

The Chair then laid before the Senate, Senate bill No. 43 (see caption above).

Bill read second time, and ordered engrossed.

On motion of Senator Beaty, the constitutional rule requiring bills to be read on three several days, was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Beaty.	Douglass.
Brachfield.	Faubion.
Cain.	Grinnan.
Davidson of	Hanger.
Galveston.	Henderson.
Decker.	Hicks.

Hill.
Lipscomb.
Morris.
Paulus.
Perkins.

Savage.
Sebastian.
Stafford.
Willacy.
Wilson.

Absent.

Faulk.	Harbison.
Faust.	Patteson.
Hale.	

Absent—Excused.

Davidson of	Martin.
DeWitt.	McKamy.
Harper.	Mills.

Bill read third time, and passed by the following vote:

Yeas—23.

Beaty.	Henderson.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
Galveston.	Morris.
Decker.	Paulus.
Douglass.	Perkins.
Faubion.	Savage.
Faulk.	Sebastian.
Grinnan.	Stafford.
Hanger.	Willacy.
Harbison.	Wilson.

Absent.

Faust.	McKamy.
Hale.	Patteson.

Absent—Excused.

Davidson of	Martin.
DeWitt.	Mills.
Harper.	

SIMPLE RESOLUTIONS.

Senator Stafford offered the following resolution:

Whereas, Mr. Sam Harlan is retiring from the position of Superintendent of Public Buildings and Grounds, and

Whereas, He has ever been a most efficient, courteous and attentive public officer; therefore, be it

Resolved, That the Senate regrets his retirement and each member extends to him his most cordial good will and best wishes.

Read second time, and adopted.

By unanimous consent, the following bill was offered:

By Senator Paulus:

Senate bill No. 63, A bill to be entitled "An Act to amend Article 804, Chapter 3, of the Revised Statutes of 1895, fixing a punishment for persons who shall enter upon inclosed land of another without the consent of the owner, proprietor or person in charge, and therein

hunt with firearms, or therein catch or take any fish from any pond, lake, tank or stream, or in any other manner depredate upon same."

Read first time, and referred to Judiciary Committee No. 2.

HOUSE CONCURRENT RESOLUTION NO. 2 SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

House Concurrent Resolution No. 2, providing for the appointment of a joint committee to arrange for counting the votes for Governor and Lieutenant Governor, and to arrange for the inauguration of said officers.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read,

House Concurrent Resolution No. 3, being a tribute to Hon. John H. Reagan.

EXCUSED.

On motion of Senator Douglass, Senator Mills was excused for non-attendance upon the Senate from Tuesday, January 20, until next Monday, on account of important business.

ADJOURNMENT.

On motion of Senator Faulk, the Senate, at 11:20 a. m., adjourned until 10 o'clock a. m., Tuesday.

TENTH DAY.

Senate Chamber,
Austin, Texas, Tuesday, Jan. 27, 1903.
Senate met pursuant to adjournment.
Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Harbison.
Brachfield.	Harper.
Cain.	Henderson.
Davidson of	Hicks.
DeWitt.	Hill.
Davidson of	Lipscomb.
Galveston.	Martin.
Decker.	Mills.
Douglass.	Morris.
Faubion.	Patteson.
Faulk.	Savage.
Faust.	Sebastian.
Grinnan.	Willacy.
Hale.	Wilson.
Hanger.	

Absent.

McKamy.	Perkins.
Paulus.	Stafford.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of last Friday,

On motion of Senator Harbison, the same was dispensed with.

BILLS AND RESOLUTIONS.

By Senator Faust:

Senate bill No. 64, A bill to be entitled "An Act to give the furnishers of feed for cattle a prior lien on said cattle to secure the payment of such feed."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Harbison:

Senate bill No. 65, A bill to be entitled "An Act to repeal Subdivision 1, of Article 5049, Chapter 18, Title CIV, of the Acts of the First Called Session of the Twenty-fifth Legislature, that imposes an annual occupation tax on merchants."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Decker:

Senate bill No. 66, A bill to be entitled "An Act to amend Article 812 of the Revised Civil Statutes of 1895, relating to removal of county seats, and the manner of calling elections for the removal of county seats."

Read first time, and referred to Committee on Counties and County Boundaries.

By Senator Hale:

Senate bill No. 67, A bill to be entitled "An Act to amend Article 4340, Title XCII, of the Revised Civil Statutes of Texas, relating to declaring quarantine in counties and cities, and maintaining and paying the expenses of same."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Hicks:

Senate bill No. 68, A bill to be entitled "An Act to amend Article 3071, of Title LVIII, of the Revised Statutes of Texas, of 1895, so as to include accident, fire and marine insurance companies in the list of insurance companies which shall be liable to pay to the holder of a policy in addition to the amount of the loss 12 per cent. damages on the amount of each loss, and reasonable attorneys fees for the prosecution and collection of such loss in the event such companies shall fail to pay the loss after demand made therefor."

Read first time, and referred to Judiciary Committee No. 1.